

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

INTERNATIONAL LABOR	)	
MANAGEMENT CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:14CV231
	)	
THOMAS E. PEREZ, in his	)	
Official capacity as United	)	
States Secretary of Labor, and	)	
UNITED STATES DEPARTMENT OF	)	
LABOR,	)	
	)	
Defendants.	)	

**ORDER**

Presently before the court is Defendants' Motion to Dismiss and Alternative Motion for Summary Judgment filed on June 5, 2014. (Doc. 41.) On July 1, 2014, the Magistrate Judge granted Plaintiff's Motion for Leave to File its First Amended Complaint. (Docs. 43, 47.) After filing its Amended Complaint, Plaintiff responded in opposition to Defendants' motion to dismiss, arguing that the filing of its Amended Complaint effectively mooted Defendants' prior motion. (Doc. 50.) Defendants did not file a reply brief, and, instead, filed a Second Motion to Dismiss and Alternative Motion for Summary

Judgment. (Doc. 51.) This court therefore finds Defendants' first motion to dismiss (Doc. 41) is moot.

**IT IS THEREFORE ORDERED** that Defendants' Motion to Dismiss and Alternative Motion for Summary Judgment (Doc. 41) is **DENIED AS MOOT.**

This the 31st day of July, 2014.

*William L. Ostun, Jr.*

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United States District Judge